

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

CLIFFORD DAMIANO

VS.

CASE NUMBER: 1:08-CV-1247 (FJS/GHL)

**MICHAEL J. ASTRUE, in his Official Capacity as Commissioner of Social Security
Administration**

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendations of Magistrate Judge George H. Lowe is accepted in its entirety, therefore the decision of the Commissioner of Social Security is REVERSED, the Commissioner's determination of no disability is VACATED and the matter is REMANDED to the agency for further consideration.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, Jr., dated the 25th day of June, 2010.

DATED: June 25, 2010


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk